

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, ex rel. )  
JOHN M. GREABE, )  
Plaintiffs, )  
v. ) Civil Action No. 04-11355-MEL  
BLUE CROSS BLUE SHIELD ASSOCIATION )  
and )  
ANTHEM BLUE CROSS BLUE SHIELD )  
OF NEW HAMPSHIRE )  
Defendants. )

## **MOTION FOR ADMISSION PRO HAC VICE**

Pursuant to Local Rule 83.5.3 of the District of Massachusetts, Defendant BLUE CROSS BLUE SHIELD ASSOCIATION (“BCBSA”) by and through undersigned counsel, hereby applies to this Court for an Order in the form attached as Exhibit “A” permitting Anthony F. Shelley, Esq. and Adam P. Feinberg, Esq. of the law firm of Miller & Chevalier Chartered of Washington, DC, to appear as attorneys in the above-captioned action for the limited purpose of representing BCBSA in this one action.

The grounds for this Motion are that:

1. BCBSA has appeared in this action through Nicholas J. Nesgos, Esq., of the law firm of Posternak Blankstein & Lund LLP, of Boston, Massachusetts who hereby consents to the designation of local counsel and whose address and telephone number are set forth below. Mr. Nesgos maintains an office for the practice of law in the District of

Massachusetts and is a member of the bar of the District of Massachusetts.

2. As explained in the attached Certificates of Anthony F. Shelley and Adam P. Feinberg (Composite Exhibit "B"):
  - a. Messrs. Shelley and Feinberg are members of Miller & Chevalier Chartered, located at 655 15th St., NW, Suite 900, Washington, DC 20005, with a telephone number of (202) 626-5800 and a facsimile number of (202) 628-0858;
  - b. Mr. Shelley is a member of the bar in good standing in every jurisdiction where he has been admitted to practice: the District of Columbia and New York State Bars; the U.S. Supreme Court; the U.S. Courts of Appeals for the First, Second, Fourth, Fifth, Sixth, Seventh, Ninth, Eleventh, and District of Columbia Circuits; and the U.S. District Courts for the District of Columbia and Maryland.
  - c. Mr. Feinberg is a member of the bar in good standing in every jurisdiction where he has been admitted to practice: the District of Columbia and Virginia State Bars; the U.S. Courts of Appeals for the Fourth and Federal Circuits; the U.S. District Court for the Eastern District of Virginia; and the U.S. Court of Federal Claims.
  - d. There are no disciplinary proceedings pending against either Mr. Shelley or Mr. Feinberg as a member of the bar of any jurisdiction.
  - e. Neither Mr. Shelley nor Mr. Feinberg have been denied admission to the court of any state or to any federal court within the last five years.
  - f. Messrs. Shelley and Feinberg have familiarized themselves with and agree to abide by the Local Rules of the District of Massachusetts.

WHEREFORE, Defendant BCBSA respectfully requests that this Court enter an

Order permitting Anthony F. Shelley and Adam P. Feinberg to appear as attorneys in the above-captioned action for the limited purpose of representing BCBSA in this one action.

Respectfully submitted,

Dated: February 15, 2006

/s/ Nicholas J. Nesgos  
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**Of Counsel:**

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*Counsel for Defendant Blue Cross Blue Shield Association*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct a copy of Motion for Admission Pro Hac Vice and the accompanying Certificates of Anthony F. Shelley and Adam P. Feinberg have been furnished by first class U.S. mail, postage prepaid, this 15th day of February, 2006, to the following:

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U.S. Department of Justice  
Civil Division  
P.O. Box 261  
Ben Franklin Station  
Washington, DC 20044

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Nicholas J. Nesgos

**Exhibit "A"**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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BLUE CROSS BLUE SHIELD ASSOCIATION	)	
and	)	
ANTHEM BLUE CROSS BLUE SHIELD	)	
OF NEW HAMPSHIRE	)	
	)	
Defendants.	)	
	)	

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**ORDER GRANTING MOTION FOR ADMISSION PRO HAC VICE**

Upon Defendant BLUE CROSS BLUE SHIELD ASSOCIATION's Motion for Admission Pro Hac Vice, and pursuant to Local Rule 83.5.3 of the District of Massachusetts,

IT IS HEREBY ORDERED THAT: Anthony F. Shelley, Esq. and Adam P. Feinberg, Esq. of the law firm of Miller & Chevalier Chartered of Washington, DC, may appear and practice in this Court as attorneys for Defendant BLUE CROSS BLUE SHIELD ASSOCIATION in the above-captioned action.

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Morris E. Lasker  
United States District Judge

